

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

JOSEPH D. NORTHUP,

2:14-cv-01639-PK

Petitioner,

ORDER

v.

JERI TAYLOR,

Respondent.

BROWN, Judge.

Magistrate Judge Paul Papak issued Findings and Recommendation (#51) on August 8, 2016, in which he recommends the Court deny Petitioner Joseph C. Northrup's Petition (#2) for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254, dismiss this matter with prejudice, and deny a certificate of appealability. Petitioner filed timely Objections to the Findings and Recommendation. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make

a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1). *See also Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (*en banc*).

In his Objections Petitioner relies on the arguments contained in his Petition, Brief in Support of Petition, and Reply to Response to Petition. Petitioner, *pro se*, also filed a Supplemental Objections/Made in Affidavit Form (#56) in support of his Objections. This Court has carefully considered Petitioner's Objections and Supplemental Objections filed *pro se* and concludes they do not provide a basis to modify the Findings and Recommendation. The Court also has reviewed the pertinent portions of the record *de novo* and does not find any error in the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Papak's Findings and Recommendation (#51) and, therefore, **DENIES** Petitioner's Petition (#2) for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254, **DISMISSES** this matter **with prejudice**, and **DENIES** a certificate of appealability on the basis that Petitioner has not made a

substantial showing of the denial of a constitutional right. See
28 U.S.C. § 2253(c) (2).

IT IS SO ORDERED.

DATED this 23rd day of November, 2016.

s/ Anna J. Brown
ANNA J. BROWN
United States District Judge